

OGE Use, Only

APPROVED FOR RELEASE - CIA  
INFOL DATE: 09-Apr-2012GSA Interagency Report  
Control No: 0398-OGE-AR

## Notification of Conflict of Interest Referral

For use in cases involving possible violations of 18 U.S.C. §§ 203, 205, 207-209 by current or former executive branch employees only; see reverse for summary of statutory/regulatory background. Please return directly to: U.S. Office of Government Ethics, 1201 New York Ave. NW, Suite 500, Washington, DC 20005-3917. Phone: Associate Director for Program Reviews (202) 482-9270. FAX: (202) 482-9238.

Agency Referring the Case CIA OIG	Agency Case or Referral Number <div style="border: 1px solid black; width: 80px; height: 20px;"></div>	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) ED VA <input type="checkbox"/> DOJ, other
Date of Referral to DOJ 22 February 2011	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed.	

### PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☒ YES ☐ NO ☐ UNCLEAR

### PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Compensated representation on behalf of: \_\_\_\_\_  
Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?

☐ **18 U.S.C. § 205 (Representation Affecting the Government)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Representation on behalf of: \_\_\_\_\_

☐ **18 U.S.C. § 207 (Post-Employment)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Representation on behalf of: \_\_\_\_\_  
Was the communication/representation: ☐ oral? ☐ and/or written?  
☐ Former employee termination service before January 1, 1991. Check subsections involved:  
☐ 207(a) ☐ 207(b)(i) ☐ 207(b)(ii) ☐ 207(c)  
☐ Former employee termination service on or after January 1, 1991. Check subsections involved:  
☐ 207(a)(1) ☐ 207(e)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)  
If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No

☒ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**  
Does the case involve the financial interest: ☐ of the employee? ☒ of the employee's spouse?  
☐ Minor child? ☐ A firm with which the employee was negotiating for employment?  
☐ Other? (specify) \_\_\_\_\_  
Was a waiver sought? ☒ Yes ☐ No Was it granted? ☐ Yes ☒ No  
Was the employee required to file a financial disclosure form? ☐ Yes ☒ No If yes, check form involved:  
☐ SF 278 ☐ OGE Form 450 ☐ Other (specify) \_\_\_\_\_  
If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No

☐ **18 U.S.C. § 209 (Supplementation of Salary)**  
Type of supplementation (meals, travel, cash, etc.): \_\_\_\_\_  
Value of supplementation: \$ \_\_\_\_\_ Number of supplements: \_\_\_\_\_

☐ **Additional Statutes Involved in Conflict of Interest Referrals**  
Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No  
Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No  
Other (list) \_\_\_\_\_

Agency Contact/Telephone Number

Date

16 May 2011

OGE Form 202 (11/04)

APPROVED FOR RELEASE - CIA INFO  
DATE: 09-Apr-2012GSA Interagency Report  
Control No: 0398-OGE-AR

Only

## Notification of Conflict of Interest Referral

For use in cases involving possible violations of 18 U.S.C. §§ 203, 205, 207-209 by current or former executive branch employees only; see reverse for summary of statutory/regulatory background. Please return directly to: U.S. Office of Government Ethics, 1201 New York Ave. NW, Suite 500, Washington, DC 20005-3917. Phone: Associate Director for Program Reviews (202) 482-9270. FAX: (202) 482-9238.

Agency Referring the Case CIA	Agency Case or Referral Number <input type="text"/>	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) EDVA <input type="checkbox"/> DOJ, other
Date of Referral to DOJ	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed. CIA/National Clandestine Service	

### PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☐ YES ☒ NO ☐ UNCLEAR

### PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

- ☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Compensated representation on behalf of: \_\_\_\_\_  
Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?
- ☐ **18 U.S.C. § 205 (Representation Affecting the Government)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Representation on behalf of: \_\_\_\_\_
- ☐ **18 U.S.C. § 207 (Post-Employment)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Representation on behalf of: \_\_\_\_\_  
Was the communication/representation: ☐ oral? ☐ and/or written?  
☐ Former employee termination service before January 1, 1991. Check subsections involved:  
☐ 207(a) ☐ 207(b)(i) ☐ 207(b)(ii) ☐ 207(c)  
☐ Former employee termination service on or after January 1, 1991. Check subsections involved:  
☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)  
If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No
- ☒ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**  
Does the case involve the financial interest: ☒ of the employee? ☐ of the employee's spouse?  
☐ Minor child? ☐ A firm with which the employee was negotiating for employment?  
☐ Other? (specify) \_\_\_\_\_  
Was a waiver sought? ☐ Yes ☒ No Was it granted? ☐ Yes ☒ No  
Was the employee required to file a financial disclosure form? ☐ Yes ☒ No If yes, check form involved:  
☐ SF 278 ☐ OGE Form 450 ☐ Other (specify) \_\_\_\_\_  
If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☒ No
- ☐ **18 U.S.C. § 209 (Supplementation of Salary)**  
Type of supplementation (meals, travel, cash, etc.): \_\_\_\_\_  
Value of supplementation: \$ \_\_\_\_\_ Number of supplements: \_\_\_\_\_
- ☐ **Additional Statutes Involved in Conflict of Interest Referrals**  
Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No  
Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No  
Other (list) \_\_\_\_\_

Agency Contact/Telephone Number

Date

15 MARCH 2011

OGE Form 202 (11/04)

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## Statutory/Regulatory Background

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28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

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### PART III ADDITIONAL AGENCY COMMENTS (if any):

This is a follow up from the original referral to OGE. On 16 February 2011, the ED VA declined prosecution. The declination was formally acknowledged on 10 March 2011.

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### PART IV DISPOSITION OF REFERRAL (OGE use only):

☐ DOJ declined prosecution.

☐ DOJ initiated prosecution.

Resolution:

Agency disciplinary or corrective action, if any:

APPROVED FOR RELEASE - CIA  
INFO. DATE: 09-Apr-2012

SSA Interagency Review  
Control No. 0308-CGF-AR

OGE Use Only

## Notification of Conflict of Interest Referral

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Agency Referring the Case CIA/OIG	Agency Case or Referral Number  	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) EDVA <input type="checkbox"/> DOJ, other
Date of Referral to DOJ 09/07/11	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed	

### PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☒ YES ☐ NO ☐ UNCLEAR

### PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Compensated representation on behalf of \_\_\_\_\_  
Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?

☐ **18 U.S.C. § 205 (Representation Affecting the Government)**  
Federal entity before which representation occurred \_\_\_\_\_  
Representation on behalf of \_\_\_\_\_

☐ **18 U.S.C. § 207 (Post-Employment)**  
Federal entity before which representation occurred \_\_\_\_\_  
Representation on behalf of \_\_\_\_\_  
Was the communication/representation: ☐ oral? ☐ and/or written?  
☐ Former employee termination service before January 1, 1991. Check subsections involved:  
☐ 207(e) ☐ 207(b)(1) ☐ 207(b)(2) ☐ 207(c)  
☐ Former employee termination service on or after January 1, 1991. Check subsections involved:  
☐ 207(b)(1) ☐ 207(b)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)  
If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No

☒ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**  
Does the case involve the financial interest ☐ of the employee? ☐ of the employee's spouse?  
☐ Minor child? ☐ A firm with which the employee was negotiating for employment?  
☐ Other? (specify) \_\_\_\_\_  
Was a waiver sought? ☐ Yes ☐ No Was it granted? ☐ Yes ☐ No  
Was the employee required to file a financial disclosure form? ☐ Yes ☐ No If yes, check form involved:  
☐ SF 278 ☐ OGE Form 450 ☐ Other (specify) \_\_\_\_\_  
If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No

☐ **18 U.S.C. § 209 (Supplementation of Salary)**  
Type of supplementation (meals, travel, cash, etc.) \_\_\_\_\_  
Value of supplementation: \$ \_\_\_\_\_ Number of supplements: \_\_\_\_\_

☐ **Additional Statutes Involved in Conflict of Interest Referrals**  
Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No  
Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No  
Other (list) \_\_\_\_\_

Agency Contact/Telephone Number

Date

29 September 2011

OGE Form 202 (11-04)

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## Statutory/Regulatory Background

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28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

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### PART III ADDITIONAL AGENCY COMMENTS (if any):

On 3 August 2011 the Office of the US Attorney for the Eastern District of Virginia declined prosecution of this employee for a possible violation of 18 USC 208.

On 29 September, OIG concluded the investigation. OIG did not substantiate the allegation and is taking no action relative to the subject.

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### PART IV DISPOSITION OF REFERRAL (OGE use only):

☐ DOJ declined prosecution.

☐ DOJ initiated prosecution.

Resolution:

Agency disciplinary or corrective action, if any:

Do Not Use On

APPROVED FOR RELEASE - CIA  
INFOL DATE: 09-Apr-201239A Interagency Report  
Control No. 0398-OC6-AR

## Notification of Conflict of Interest Referral

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Agency Referring the Case

Agency Case or Referral Number

Case Referred to:

C/A, Office of Inspector General

Date of Referral to DOJ

13 June 2011

☐ DOJ, Public Integrity Section, Criminal Division  
☒ U.S. Attorney for (district) Eastern District of VA  
☐ DOJ, other

Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed.

## PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☒ YES ☐ NO ☐ UNCLEAR

## PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s)

☐ 18 U.S.C. § 203 (Compensation for Representation Affecting the Government)

Federal entity before which representation occurred:

Compensated representation on behalf of:

Were representation services rendered or to be rendered: ☐ by the employee ☐ or by another?

☐ 18 U.S.C. § 205 (Representation Affecting the Government)

Federal entity before which representation occurred:

Representation on behalf of:

☐ 18 U.S.C. § 207 (Post-Employment)

Federal entity before which representation occurred:

Representation on behalf of:

Was the communication/representation: ☐ oral? ☐ and/or written?

☐ Former employee termination service before January 1, 1991. Check subsections involved:  
☐ 207(a) ☐ 207(b)(i) ☐ 207(b)(ii) ☐ 207(c)

☐ Former employee termination service on or after January 1, 1991. Check subsections involved:  
☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)

If 207(b) or 207(f) checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No

☒ 18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)

Does the case involve the financial interest: ☐ of the employee? ☒ of the employee's spouse?☐ Minor child?☐ A firm with which the employee was negotiating for employment?☐ Other? specify:Was a waiver sought? ☐ Yes ☒ NoWas it granted? ☐ Yes ☒ NoWas the employee required to file a financial disclosure form? ☐ Yes ☒ No if yes, check form involved☐ SF 278☐ OGE Form 450☐ Other (specify):If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No

☐ 18 U.S.C. § 209 (Supplementation of Salary)

Type of supplementation (meals, travel, cash, etc.)

Value of supplementation \$

Number of supplements

☐ Additional Statutes Involved in Conflict of Interest Referrals

Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ NoWas 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ NoWas 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ NoWas 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ NoWas 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No

Other (list):

Agency Contact/Telephone Number

Date

25 October 2011

OGE Form 202 (11/04)

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## Statutory/Regulatory Background

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28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

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### PART III ADDITIONAL AGENCY COMMENTS (if any):

Disposition. On 13 June 2011, the CIA/OIG mailed a completed Notification of Conflict of Interest Referral to OGE concerning an incident where an Agency employee was alleged to have violated employment restrictions contained in 18 U.S.C. § 208 (Acts affecting a personal financial interest). The facts in this matter were presented to an Assistant United States Attorney for the Eastern District of Virginia in Alexandria on 20 July 2011, at which time he declined to prosecute the case. The matter was referred for administrative action. This individual was counseled on this issue, reassigned to another position, and issued a one year Letter of Reprimand with caveats (no promotion, no monetary awards). The employee has affirmed their commitment to remain clear of COI issues in the future and offered that they would avail themselves of counsel from Agency ethics attorney's in addition to the annual ethics training. The case was closed on 25 October 2011.

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### PART IV DISPOSITION OF REFERRAL (OGE use only):

☐ DOJ declined prosecution.

☐ DOJ initiated prosecution.

Resolution.

Agency disciplinary or corrective action, if any:

OGE Use Only

APPROVED FOR RELEASE - CIA  
INFOL DATE: 09-Apr-2012GS A Interagency Report  
Control No: 0398-OGE-AR**Notification of Conflict of Interest Referral**

For use in cases involving possible violations of 18 U.S.C. §§ 203, 205, 207-209 by current or former executive branch employees only; see reverse for summary of statutory/regulatory background. Please return directly to: U.S. Office of Government Ethics, 1201 New York Ave. NW, Suite 500, Washington, DC 20005-3917. Phone: Associate Director for Program Reviews (202) 482-9270. FAX: (202) 482-9238.

Agency Referring the Case <b>CIA</b>	Agency Case or Referral Number <b>CIA/NCIS</b>	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) <b>EDVA</b> <input type="checkbox"/> DOJ, other
Date of Referral to DOJ <b>14 APR 2010</b>	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed. <b>CIA/NCIS</b>	

**PART I ETHICS TRAINING**

Is there any evidence the individual received ethics training? ☐ YES ☐ NO ☒ UNCLEAR

**PART II STATUTE(S) INVOLVED IN THIS CASE**

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**

Federal entity before which representation occurred: \_\_\_\_\_

Compensated representation on behalf of: \_\_\_\_\_

Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?

☐ **18 U.S.C. § 205 (Representation Affecting the Government)**

Federal entity before which representation occurred: \_\_\_\_\_

Representation on behalf of: \_\_\_\_\_

☐ **18 U.S.C. § 207 (Post-Employment)**

Federal entity before which representation occurred: \_\_\_\_\_

Representation on behalf of: \_\_\_\_\_

Was the communication/representation: ☐ oral? ☐ and/or written?

☐ Former employee termination service before January 1, 1991. Check subsections involved.

☐ 207(a) ☐ 207(b)(i) ☐ 207(b)(ii) ☐ 207(c)

☐ Former employee termination service on or after January 1, 1991. Check subsections involved:

☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)

If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No

☒ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**

Does the case involve the financial interest: ☒ of the employee? ☒ of the employee's spouse?

☐ Minor child? ☐ A firm with which the employee was negotiating for employment?

☐ Other? (specify) \_\_\_\_\_

Was a waiver sought? ☐ Yes ☐ No Was it granted? ☐ Yes ☐ No

Was the employee required to file a financial disclosure form? ☐ Yes ☐ No If yes, check form involved:

☐ SF 278 ☐ OGE Form 450 ☐ Other (specify) \_\_\_\_\_

If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No

☐ **18 U.S.C. § 209 (Supplementation of Salary)**

Type of supplementation (meals, travel, cash, etc.): \_\_\_\_\_

Value of supplementation: \$ \_\_\_\_\_

Number of supplements: \_\_\_\_\_

☐ **Additional Statutes Involved in Conflict of Interest Referrals**

Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No

Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No

Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No

Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No

Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No

Other (list): \_\_\_\_\_

Agency Contact/Telephone Number: \_\_\_\_\_

Date

**5 APR 2011**

OGE Form 202 (11/04)



## Statutory/Regulatory Background

28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

### PART III ADDITIONAL AGENCY COMMENTS (if any):

BASED ON THE UNIQUE NATURE OF AN ASSIGNED MISSION, THE SUBJECT AND SUBJECT'S SPOUSE WERE GRANTED A SPECIAL WAIVER TO OPERATE IN THEIR GIVEN MISSION, BY VARIOUS REVIEWING OFFICIALS, INCLUDING ETHICS OFFICIALS.

ON 27 APRIL 2010, DOJ DECLINED PROSECUTION BASED ON LACK OF PROSECUTORIAL MERIT. NO FURTHER ACTION IS CONTEMPLATED BY OGE.

### PART IV DISPOSITION OF REFERRAL (OGE use only):

☒ DOJ declined prosecution.

☐ DOJ initiated prosecution.

Resolution.

Agency disciplinary or corrective action, if any:

OGE Use Only

APPROVED FOR RELEASE - CIA  
INFOL DATE: 09-Apr-2012GSA Interagency Report  
Control No 0398-OGE-AR

## Notification of Conflict of Interest Referral

For use in cases involving possible violations of 18 U.S.C. §§ 203, 205, 207-209 by current or former executive branch employees only; see reverse for summary of statutory/regulatory background. Please return directly to: U.S. Office of Government Ethics, 1201 New York Ave. NW, Suite 500, Washington, DC 20005-3917. Phone: Associate Director for Program Reviews (202) 482-9270. FAX: (202) 482-9238.

Agency Referring the Case <i>CIA</i>	Agency Case or Referral Number	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district), <i>EDVH</i> <input type="checkbox"/> DOJ, other
Date of Referral to DOJ <i>21 April 2010</i>	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed. <i>CIA/OS&amp;T</i>	

## PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☒ YES ☐ NO ☐ UNCLEAR

## PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

- ☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Compensated representation on behalf of: \_\_\_\_\_  
Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?
- ☐ **18 U.S.C. § 205 (Representation Affecting the Government)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Representation on behalf of: \_\_\_\_\_
- ☐ **18 U.S.C. § 207 (Post-Employment)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Representation on behalf of: \_\_\_\_\_  
Was the communication/representation: ☐ oral? ☐ end/or written?  
☐ Former employee termination service before January 1, 1991. Check subsections involved:  
☐ 207(a) ☐ 207(b)(1) ☐ 207(b)(2) ☐ 207(c)  
☐ Former employee termination service on or after January 1, 1991. Check subsections involved:  
☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)  
If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No
- ☒ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**  
Does the case involve the financial interest: ☒ of the employee? ☐ of the employee's spouse?  
☐ Minor child? ☐ A firm with which the employee was negotiating for employment?  
☐ Other? (specify) \_\_\_\_\_  
Was a waiver sought? ☐ Yes ☒ No Was it granted? ☐ Yes ☒ No  
Was the employee required to file a financial disclosure form? ☒ Yes ☐ No If yes, check form involved:  
☐ SF 278 ☒ OGE Form 450 ☐ Other (specify) *(Agency form)*  
If so, was the basis for the interest disclosed on the financial disclosure form? ☒ Yes ☐ No
- ☐ **18 U.S.C. § 209 (Supplementation of Salary)**  
Type of supplementation (meals, travel, cash, etc.): \_\_\_\_\_  
Value of supplementation: \$ \_\_\_\_\_ Number of supplements: \_\_\_\_\_
- ☐ **Additional Statutes Involved in Conflict of Interest Referrals**  
Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No  
Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No  
Other (list): \_\_\_\_\_

Agency Contact/Telephone Number

Date

*8 July 2011*

OGE Form 202 (11/04)

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## Statutory/Regulatory Background

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28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

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### PART III ADDITIONAL AGENCY COMMENTS (If any):

*None - EOVA declined prosecution on  
27 April 2010.*

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### PART IV DISPOSITION OF REFERRAL (OGE use only):

☐ DOJ declined prosecution.

☐ DOJ initiated prosecution.

Resolution:

Agency disciplinary or corrective action, if any:

OGE Use Only

APPROVED FOR RELEASE - CIA  
INFO DATE: 09-Apr-2012GSA Interagency Report  
Control No. 0398-OGE-AR

## Notification of Conflict of Interest Referral

For use in cases involving possible violations of 18 U.S.C. §§ 203, 205, 207-209 by current or former executive branch employees only; see reverse for summary of statutory/regulatory background. Please return directly to: U.S. Office of Government Ethics, 1201 New York Ave. NW, Suite 500, Washington, DC 20005-3917. Phone: Associate Director for Program Reviews (202) 482-9270. FAX: (202) 482-9298.

Agency Referring the Case <b>CIA</b>	Agency Case or Referral Number <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) <b>EDVA</b> <input type="checkbox"/> DOJ, other
Date of Referral to DOJ <b>14 MAY 2010</b>	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed. <b>CIA/NCS</b>	

### PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☐ YES ☐ NO ☒ UNCLEAR

### PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

- ☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Compensated representation on behalf of: \_\_\_\_\_  
Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?
- ☐ **18 U.S.C. § 205 (Representation Affecting the Government)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Representation on behalf of: \_\_\_\_\_
- ☐ **18 U.S.C. § 207 (Post-Employment)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Representation on behalf of: \_\_\_\_\_  
Was the communication/representation: ☐ oral? ☐ and/or written?  
☐ Former employee termination service before January 1, 1991. Check subsections involved:  
☐ 207(a) ☐ 207(b)(1) ☐ 207(b)(2) ☐ 207(c)  
☐ Former employee termination service on or after January 1, 1991. Check subsections involved:  
☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)  
If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No
- ☒ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**  
Does the case involve the financial interest: ☐ of the employee? ☒ of the employee's spouse?  
☐ Minor child? ☐ A firm with which the employee was negotiating for employment?  
☐ Other? (specify) \_\_\_\_\_  
Was a waiver sought? ☐ Yes ☐ No Was it granted? ☐ Yes ☐ No  
Was the employee required to file a financial disclosure form? ☐ Yes ☐ No If yes, check form involved:  
☐ SF 278 ☐ OGE Form 450 ☐ Other (specify) \_\_\_\_\_  
If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No
- ☐ **18 U.S.C. § 209 (Supplementation of Salary)**  
Type of supplementation (meals, travel, cash, etc.): \_\_\_\_\_  
Value of supplementation: \$ \_\_\_\_\_ Number of supplements: \_\_\_\_\_
- ☐ **Additional Statutes Involved in Conflict of Interest Referrals**  
Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No  
Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No  
Other (list): \_\_\_\_\_

Agency Contact/Telephone Number

Date

**5 APR 2011**

OGE Form 202 (11/04)

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## Statutory/Regulatory Background

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28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(a)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

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### PART III ADDITIONAL AGENCY COMMENTS (if any):

ON 27 OCTOBER 2010, DOJ DECLINED PROSECUTION  
BASED ON LACK OF PROSECUTORIAL MERIT.  
OIG CONTEMPLATES NO FURTHER ACTION.

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### PART IV DISPOSITION OF REFERRAL (OGE use only):

☐ DOJ declined prosecution.

☐ DOJ initiated prosecution.

Resolution:

Agency disciplinary or corrective action, if any:

## Notification of Conflict of Interest Referral

For use in cases involving possible violations of 18 U.S.C. §§ 203, 205, 207-209 by current or former executive branch employees only; see reverse for summary of statutory/regulatory background. Please return directly to: U.S. Office of Government Ethics, 1201 New York Ave. NW, Suite 500, Washington, DC 20005-3917. Phone: Associate Director for Program Reviews (202) 482-8270; FAX: (202) 482-8238.

Agency Referring the Case: CAO	Agency Case or Referral Number: [ ]	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) EDVA <input type="checkbox"/> DOJ, other
Date of Referral to OGE: 5 May 2011	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed:	

## PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☐ YES ☒ NO ☐ UNCLEAR

## PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Compensated representation on behalf of: \_\_\_\_\_  
Were representation services rendered or to be rendered ☐ by the employee ☐ or by another?

☐ **18 U.S.C. § 205 (Representation Affecting the Government)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Representation on behalf of: \_\_\_\_\_

☐ **18 U.S.C. § 207 (Post-Employment)**  
Federal entity before which representation occurred: \_\_\_\_\_  
Representation on behalf of: \_\_\_\_\_  
Was the communication/representation ☐ oral? ☐ and/or written?  
☐ Former employee termination service before January 1, 1991. Check subsections involved:  
☐ 207(a) ☐ 207(b)(1) ☐ 207(b)(2) ☐ 207(c)  
☐ Former employee termination service on or after January 1, 1991. Check subsections involved:  
☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(e)  
If 207(a) or 207(b) checked, was behind-the-scenes aid or advice involved? ☐ Yes ☒ No

☐ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**  
Does the case involve the financial interest ☒ of the employee? ☒ of the employee's spouse?  
☐ Minor child ☐ A firm with which the employee was negotiating for employment?  
☐ Other (specify): \_\_\_\_\_  
Was a waiver sought? ☐ Yes ☒ No Was it granted? ☐ Yes ☒ No  
Was the employee required to file a financial disclosure form? ☐ Yes ☒ No If yes, check form involved:  
☐ SF 278 ☐ OGE Form 450 ☐ Other (specify): \_\_\_\_\_  
If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☒ No

☐ **18 U.S.C. § 209 (Supplementation of Salary)**  
Type of supplementation (meals, travel, cash, etc.): \_\_\_\_\_ Number of supplements: \_\_\_\_\_  
Value of supplementation: \$ \_\_\_\_\_

☐ **Additional Statutes Involved in Conflict of Interest Referrals**  
Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☒ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☒ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☒ No  
Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☒ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☒ No  
Other (list): \_\_\_\_\_

Agency Contact/Reference Number:

Date:

31 October 2011

OGE Form 202 (11-04)

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## Statutory/Regulatory Background

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28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2636.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2636.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

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### PART III ADDITIONAL AGENCY COMMENTS (if any):

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### PART IV DISPOSITION OF REFERRAL (OGE use only):

☒ DOJ declined prosecution

☐ DOJ initiated prosecution

Resolution:

Prosecution declined 22 September 2011

Agency disciplinary or corrective action, if any:

Management realigned duties to prevent further inadvertent violations and provided corrective guidance.

APPROVED FOR RELEASE - CIA  
INFO. DATE: 09-Apr-2012

OGE Use Only

GSA Interagency Report  
Control No: 0398-OGE-AR

## Notification of Conflict of Interest Referral

For use in cases involving possible violations of 18 U.S.C. §§ 203, 205, 207-209 by current or former executive branch employees only; see reverse for summary of statutory/regulatory background. Please return directly to: U.S. Office of Government Ethics, 1201 New York Ave. NW, Suite 500, Washington, DC 20005-3917. Phone: Associate Director for Program Reviews (202) 482-9270. FAX: (202) 482-9238.

Agency Referring the Case Central Intelligence Agency	Agency Case or Referral Number  	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input type="checkbox"/> U.S. Attorney for (district) <input type="checkbox"/> DOJ, other
Date of Referral to DOJ	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed.	

### PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☒ YES ☐ NO ☐ UNCLEAR

### PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**  
Federal entity before which representation occurred:   
Compensated representation on behalf of:   
Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?

☐ **18 U.S.C. § 205 (Representation Affecting the Government)**  
Federal entity before which representation occurred:   
Representation on behalf of:

☐ **18 U.S.C. § 207 (Post-Employment)**  
Federal entity before which representation occurred:   
Representation on behalf of:   
Was the communication/representation: ☐ oral? ☐ and/or written?  
☐ Former employee termination service before January 1, 1991. Check subsections involved:  
☐ 207(a) ☐ 207(b)(i) ☐ 207(b)(ii) ☐ 207(c)  
☐ Former employee termination service on or after January 1, 1991. Check subsections involved:  
☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)  
If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No

☒ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**  
Does the case involve the financial interest: ☒ of the employee? ☐ of the employee's spouse?  
☐ Minor child? ☐ A firm with which the employee was negotiating for employment?  
☒ Other? (specify) contracts  
Was a waiver sought? ☐ Yes ☒ No Was it granted? ☐ Yes ☒ No  
Was the employee required to file a financial disclosure form? ☒ Yes ☐ No If yes, check form involved:  
☐ SF 278 ☒ OGE Form 450 ☐ Other (specify)   
If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No

☐ **18 U.S.C. § 209 (Supplementation of Salary)**  
Type of supplementation (meals, travel, cash, etc.):   
Value of supplementation: \$ Number of supplements:

☐ **Additional Statutes Involved in Conflict of Interest Referrals**  
Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No  
Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No  
Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No  
Other (list):

Agency Contact/Telephone Number

Date

29 December 2010

OGE Form 202 (11/04)



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## Statutory/Regulatory Background

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28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

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### PART III ADDITIONAL AGENCY COMMENTS (if any):

The investigation did not corroborate the initial allegations that the Subject had a hidden financial interest in a contractor with whom the Subject had official contact.

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### PART IV DISPOSITION OF REFERRAL (OGE use only):

☐ DOJ declined prosecution.

☐ DOJ initiated prosecution.

Resolution:

The case was closed administratively.

Agency disciplinary or corrective action, if any:

APPROVED FOR RELEASE - CIA INFOL  
DATE: 09-Apr-2012

OGE Use Only

USA Interagency Report  
Control No. 0398-OGE-AR

## Notification of Conflict of Interest Referral

For use in cases involving possible violations of 18 U.S.C. §§ 203, 205, 207-209 by current or former executive branch employees only; see reverse for summary of statutory/regulatory background. Please return directly to: U.S. Office of Government Ethics, 1201 New York Ave. NW, Suite 500, Washington, DC 20005-3917. Phone: Associate Director for Program Reviews (202) 482-8270 FAX: (202) 482-5239

Agency Referring the Case C/A, Office of Inspector General	Agency Case or Referral Number <div style="border: 1px solid black; width: 100px; height: 20px;"></div>	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) <u>Eastern District of VA</u> <input type="checkbox"/> DOJ, other
Date of Referral to DOJ 24 May 2011	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed	

### PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☒ YES ☐ NO ☐ UNCLEAR

### PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**

Federal entity before which representation occurred \_\_\_\_\_

Compensated representation on behalf of: \_\_\_\_\_

Were representation services rendered or to be rendered: ☐ by the employee ☐ or by another?

☐ **18 U.S.C. § 205 (Representation Affecting the Government)**

Federal entity before which representation occurred \_\_\_\_\_

Representation on behalf of \_\_\_\_\_

☐ **18 U.S.C. § 207 (Post-Employment)**

Federal entity before which representation occurred \_\_\_\_\_

Representation on behalf of \_\_\_\_\_

Was the communication/representation: ☐ oral? ☐ and/or written?

☐ Former employee's termination service before January 1, 1991. Check subsections involved:

☐ 207(a) ☐ 207(b)(i) ☐ 207(b)(ii) ☐ 207(c)

☐ Former employee termination service on or after January 1, 1991. Check subsections involved:

☐ 207(b)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)

If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No

☒ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**

Does the case involve the financial interest: ☐ of the employee? ☒ of the employee's spouse?

☐ Minor child? ☐ A firm with which the employee was negotiating for employment?

☐ Other? (specify) \_\_\_\_\_

Was a waiver sought? ☒ Yes ☐ No Was it granted? ☐ Yes ☒ No

Was the employee required to file a financial disclosure form? ☐ Yes ☒ No If yes, check form involved:

☐ SF 278 ☐ OGE Form 450 ☐ Other (specify) \_\_\_\_\_

If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No

☐ **18 U.S.C. § 209 (Supplementation of Salary)**

Type of supplementation (meals, travel, cash, etc.): \_\_\_\_\_

Value of supplementation, \$ \_\_\_\_\_ Number of supplements: \_\_\_\_\_

☐ **Additional Statutes Involved in Conflict of Interest Referrals**

Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No

Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No

Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No

Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No

Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No

Other (list): \_\_\_\_\_

Agency Contact/Telephone Number: \_\_\_\_\_

Date: \_\_\_\_\_

25 October 2011

OGE Form 202 (11/04)

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## Statutory/Regulatory Background

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28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(a)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

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### PART III ADDITIONAL AGENCY COMMENTS (if any):

Disposition. On 24 May 2011, the CIA/OIG mailed a completed Notification of Conflict of Interest Referral to OGE concerning an incident where an Agency employee was alleged to have violated employment restrictions contained in 18 U.S.C. § 208 (Acts affecting a personal financial interest). The facts in this matter were presented to an Assistant United States Attorney for the Eastern District of Virginia in Alexandria on 20 July 2011, at which time he declined to prosecute the case. Because this individual has been counseled on this issue and their management has implemented new procedures to prevent future inadvertent violations, no further administrative action was taken and the case was closed.

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### PART IV DISPOSITION OF REFERRAL (OGE use only)

☐ DOJ declined prosecution

☐ DOJ initiated prosecution.

Resolution.

Agency disciplinary or corrective action, if any.

OGE Use Only

GSA Interagency Report  
Control No: 0398-OGE-AR

## Notification of Conflict of Interest Referral

For use in cases involving possible violations of 18 U.S.C. §§ 203, 205, 207-209 by current or former executive branch employees only; see reverse for summary of statutory/regulatory background. Please return directly to: U.S. Office of Government Ethics, 1201 New York Ave. NW, Suite 500, Washington, DC 20005-3817. Phone: Associate Director for Program Reviews (202) 482-9270 FAX: (202) 482-9238

Agency Referring the Case CIA/OIG	Agency Case or Referral Number <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	Case Referred to: <div style="display: flex; justify-content: space-between;"> <span><input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division</span> <span><input checked="" type="checkbox"/> U.S. Attorney for (district) EDVA</span> </div> <div style="display: flex; justify-content: space-between;"> <span><input type="checkbox"/> DOJ, other</span> </div>
Date of Referral to DOJ 9/7/11	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed	

### PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☒ YES ☐ NO ☐ UNCLEAR

### PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**  
 Federal entity before which representation occurred: \_\_\_\_\_  
 Compensated representation on behalf of: \_\_\_\_\_  
 Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?

☐ **18 U.S.C. § 205 (Representation Affecting the Government)**  
 Federal entity before which representation occurred: \_\_\_\_\_  
 Representation on behalf of: \_\_\_\_\_

☐ **18 U.S.C. § 207 (Post-Employment)**  
 Federal entity before which representation occurred: \_\_\_\_\_  
 Representation on behalf of: \_\_\_\_\_  
 Was the communication/representation: ☐ oral? ☐ and/or written?  
☐ Former employee termination service before January 1, 1991. Check subsections involved:  
☐ 207(a) ☐ 207(b)(i) ☐ 207(b)(ii) ☐ 207(c)  
☐ Former employee termination service on or after January 1, 1991. Check subsections involved:  
☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(e)  
 If 207(b) or 207(e) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No

☒ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**  
 Does the case involve the financial interest: ☐ of the employee? ☐ of the employee's spouse?  
☐ Minor child? ☐ A firm with which the employee was negotiating for employment?  
☐ Other? (specify) \_\_\_\_\_  
 Was a waiver sought? ☐ Yes ☒ No Was it granted? ☐ Yes ☐ No  
 Was the employee required to file a financial disclosure form? ☒ Yes ☐ No If yes, check form involved:  
☐ SF 278 ☒ OGE Form 450 ☐ Other (specify) \_\_\_\_\_  
 If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No

☐ **18 U.S.C. § 209 (Supplementation of Salary)**  
 Type of supplementation (meals, travel, cash, etc.): \_\_\_\_\_  
 Value of supplementation \$ \_\_\_\_\_ Number of supplements: \_\_\_\_\_

☐ **Additional Statutes Involved in Conflict of Interest Referrals**  
 Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No  
 Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No  
 Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No  
 Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No  
 Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No  
 Other (list): \_\_\_\_\_

Agency Contact/Telephone Number

Date

30 August 2011

OGE Form 202 (11/04)

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## Statutory/Regulatory Background

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28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2638.803 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.803(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

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## PART III ADDITIONAL AGENCY COMMENTS (if any):

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## PART IV DISPOSITION OF REFERRAL (OGE use only):

☐ DOJ declined prosecution

☐ DOJ initiated prosecution

Resolution:

Agency disciplinary or corrective action, if any: